

DECLARATION AND POWER OF ATTORNEY -- PATENT APPLICATION

As below named inventor, I hereby declare that I believe I am the original, first and sole inventor (*if only one name is listed below*) or an original, first and joint inventor (*if plural names are listed below*) of the subject matter which is claimed and for which a patent is sought in the application entitled: BED SIDERAIL APPARATUS
the specification of which

(check one) _____ is attached hereto
_____ was filed on _____ as
United States Application Serial No. _____ or
PCT International Application No. _____
and was amended on _____ (*if applicable*).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to herein.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or of any PCT international application having a filing date before that of the application on which priority is claimed.

| Prior Foreign Application Number(s) | Country | Foreign Filing Date (MM/DD/YYYY) | Priority Not Claimed | Certified Copy Attached? | |
|--|---------|-------------------------------------|--------------------------|--------------------------|--------------------------|
| | | | | YES | NO |
| | | | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
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| | | | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| | | | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

☐ Additional foreign application numbers are listed on a supplemental priority data sheet attached hereto.

I hereby claim the benefit under 35 U.S.C. 119(e) of any United States provisional application(s) listed below.

| Application Number(s) | Filing Date (MM/DD/YYYY) | <input type="checkbox"/> Additional provisional application numbers are listed on a supplemental priority data sheet attached hereto. |
|-----------------------|--------------------------|--|
| | | |

I hereby claim the benefit under 35 U.S.C. 120 of any United States application(s), or 365(c) of any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of 35 U.S.C. 112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

| U.S. Parent Application or PCT Parent Number | Parent Filing Date (MM/DD/YYYY) | Parent Patent Number (If applicable) |
|---|------------------------------------|---|
| 09/750,741 | December 29, 2000 | |

☐ Additional U.S. or PCT international application numbers are listed on a supplemental priority data sheet attached hereto.

As a named inventor, I hereby appoint James A. Coles, Reg. No. 28,291; Timothy E. Niednagel, Reg. No. 33,266; Douglas A. Yerkeson, Reg. No. 39,882; R. Trevor Carter, Reg. No. 40,549; Robert D. Null, Reg. No. 40,746; Norman J. Hedges, Reg. No. 44,151; Christine E. Mayewski Orich, Reg. No. 44,987; Gerald W. Roberts, Reg. No. 45,046; and Ryan C. Barker, Reg. No. 47,405; as attorneys of record, and William S. Meyers, Reg. No. 42,884; as agent of record, with full power of substitution and revocation, to prosecute this application, and to transact all business in the Patent and Trademark Office connected therewith, and I specify that communications regarding the application be directed to:

Intellectual Property Group
Bose McKinney & Evans LLP
135 North Pennsylvania Street, Suite 2700
Indianapolis, Indiana 46204
Telephone: (317) 684-5000
Facsimile: (317) 684-5173

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

FRANCIS C. GANANCE
Full Name of Sole or First Joint Inventor

United States of America
Country of Citizenship

Inventor's signature

Date

211 South Depot Street

Batesville, IN 47006
Residence and Post Office Address



25267

PATENT TRADEMARK OFFICE

J1017 U.S. PTO
10/079126
02/19/02

PATENT APPLICATION

Box Patent Application
Commissioner for Patents
Washington, D.C. 20231

Sir:

Transmitted herewith for filing under 35 U.S.C. 1.111 and
37 C.F.R. 1.53 is the patent application of:

Applicants: Francis C. Ganance

Title: BED SIDERAIL APPARATUS

Atty. Docket No.: 8266-0710

Enclosed are:

- ☒ Specification (12 pages)
☒ Claims (69 claims)
☒ Drawings (7 sheets)
☒ Abstract
☒ Declaration and Power of Attorney
☐ An assignment of the invention to _____
☒ Check to cover the total fees for filing this application as calculated below
☐ Recordation Form Cover Sheet
☐ Check to cover \$40 fee for recording assignment
☐ Information Disclosure Statement
☐ Form PTO-1449
☐ Copies of _____ Cited References
☐ Preliminary Amendment
☐ Applicant claims Small Entity Status: See 37 C.F.R. 1.27
☐ Request For Non-Publication and Certification Under 35 U.S.C. 122(b)(2)(B)(1)

| | |
|--|--------------------------|
| Certificate Under 37 C.F.R. 1.10 | |
| Express Mail Label No.: | <u>EL591989237US</u> |
| Date of Deposit: | <u>February 19, 2002</u> |
| I hereby certify that this paper or fee is being deposited with the United States Postal Service' "Express Mail Post Office to Addressee" service under 37 C.F.R. 1.10 on the date indicated above and is addressed to the Commissioner for Patents, Washington, D.C. 20231. | |
| D. Cwiklinski | |
| Typed or Printed Name of Person Mailing Paper or Fee | |
| <i>D. Cwiklinski</i> | |
| Signature of Person Mailing Paper or Fee | |

COPY

| CLAIMS AS FILED | | | | | |
|---|---------------------|-------|--------------|--------------------|------------|
| | NUMBER FILED | | NUMBER EXTRA | RATE | FEE |
| BASIC FEE (37 C.F.R. 1.16 (a)) | | | | \$740 | \$740 |
| TOTAL CLAIMS (37 C.F.R. 1.16(c)) | 69 | 20 = | 49 | \$18 | \$882 |
| INDEPENDENT CLAIMS (37 CFR 1.16(b)) | 9 | - 3 = | 6 | \$84 | \$504 |
| MULTIPLE DEPENDENT CLAIM PRESENT | (37 C.F.R. 1.16(d)) | | | \$280 | |
| * NUMBER EXTRA MUST BE ZERO OR LARGER | | | | TOTAL | \$2,126 |
| If applicant has small entity status under 37 C.F.R. 1.9 and 1.27, then divide total fee by 2, and enter amount here. | | | | SMALL ENTITY TOTAL | NO \$2,126 |

FEE FOR RECORDING ASSIGNMENT

TOTAL FEES

\$2,126.00

The Commissioner is hereby authorized to charge any additional filing fees under 37 C.F.R. 1.16 or processing fees under 37 C.F.R. 1.17 which may be required, or credit any overpayment, to Bose McKinney & Evans LLP's Deposit Account No. 02-3223. A duplicate copy of this sheet is enclosed.

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